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Award

## **MGCC Working at Height**

Ministry of Defence

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-009853

Procurement identifier (OCID): ocds-h6vhtk-032d1a

Published 13 April 2022, 10:50am

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

Ministry of Defence

Bristol

##### **Email**

[daisy.wallis106@mod.gov.uk](mailto:daisy.wallis106@mod.gov.uk)

##### **Country**

United Kingdom

##### **NUTS code**

UKD3 - Greater Manchester

##### **Internet address(es)**

Main address

<https://des.mod.uk/>

#### **I.4) Type of the contracting authority**

Ministry or any other national or federal authority

## **I.5) Main activity**

Defence

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

MGCC Working at Height

#### **II.1.2) Main CPV code**

- 45221100 - Construction work for bridges

#### **II.1.3) Type of contract**

Works

#### **II.1.4) Short description**

manufacture and procurement of a working at height safety system for the Medium Girder Bridge (MGB) sets

#### **II.1.6) Information about lots**

This contract is divided into lots: No

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £3,850,000

### **II.2) Description**

#### **II.2.2) Additional CPV code(s)**

- 45221100 - Construction work for bridges

#### **II.2.3) Place of performance**

NUTS codes

- UKD3 - Greater Manchester

#### **II.2.4) Description of the procurement**

manufacture and procurement of a working at height safety system for the Medium Girder Bridge (MGB) sets

#### **II.2.5) Award criteria**

Price

#### **II.2.11) Information about options**

Options: No

#### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Negotiated procedure without publication of a contract notice

- Additional deliveries by the original supplier

Explanation:

The Operational Infrastructure programme team, part of the UK Ministry of Defence (MOD), intends to place a Contract with WFEL Ltd for the provision of demonstration and manufacture of a working at height safety system for the Medium Girder Bridge (MGB) sets which was not included in the original MGB Manufacture Contract. The length of the contract will be 4 and the value approximately £3.85M. This safety system has become necessary because standard safety equipment and systems of work across all bridge configurations are now required to ensure compliance with current Working at Height legislation (WaH). The current risk to life from a WaH accident during construction of an MGB is a Class C risk. In order to comply with Health and Safety Executive (HSE) legislation based on Cost Benefit Analysis (CBA) the Army (as the employer) must do all they can to reduce the risk of working at height (WaH) to ALARP.

The value of these additional works is less than 50% of the value of the consideration payable under the original contract.

In accordance with regulation 4 of The Defence and Security Public Contracts (Amendment) (EU Exit) Regulations 2019 (SI 2019/697) this procurement falls to be regulated under the provisions of the Defence and Security Public Contracts Regulations 2011 as amended (in particular by SI 2019/697 and SI 2020/1450). Prior publication of a contract notice in the Official Journal of the European Union is no longer appropriate. It is considered that the award of the contract without prior publication of a contract notice in the UK e-notification service is lawful in accordance with Regulation 16(1)(d)(i) of the Defence and Security Public Contracts Regulations 2011 additional works.

These additional works cannot for technical reasons be carried out or provided separately from those under the original contract without major inconvenience to the MOD because the original equipment manufacturer (OEM) has already been contracted through an Assessment Phase Contract to investigate and propose a WAH Safety Solution. The End User (Army) have paid for and reviewed this proposal and are content that it will meet the WaH legislation and wish to proceed with WFEL's proposed solution which is currently being developed into a prototype ready to trial. Any deviation from this chosen solution will cause a time delay to the introduction of critical safety equipment and be an economic and resource inconvenience to the Authority. Additionally, following a thorough investigation, the Master Data Packs for MGB (containing all the necessary technical information for a competent engineering company to manufacture the bridge sets) are not available to the Authority to provide to a 3rd party. Therefore a 3rd party supplier would need to design and engineer a WaH system from the ground up without access to any of the MGB technical information. This would result in significant design and production line set up costs and carries a performance and quality risk of components being incompatible with the existing MGB system. As WFEL are the OEM for the MGB, they will have no such incompatibility issues.

The Cyber Risk Profile for this requirement identified by the Cyber Risk Assessment is Very Low. Reference 600646679.

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: No

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## **Section V. Award of contract/concession**

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

#### **V.2.1) Date of conclusion of the contract**

13 April 2022

#### **V.2.2) Information about tenders**

The contract has been awarded to a group of economic operators: No

#### **V.2.3) Name and address of the contractor/concessionaire**

WFEL Ltd

Manchester

Country

United Kingdom

NUTS code

- UKD3 - Greater Manchester

The contractor/concessionaire is an SME

No

#### **V.2.4) Information on value of contract/lot/concession (excluding VAT)**

Total value of the contract/lot/concession: £3,850,000

#### **V.2.5) Information about subcontracting**

The contract/lot/concession is likely to be subcontracted

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

Defence Equipment and Support

BRISTOL

Country

United Kingdom